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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,687	05/04/2006	Thomas Karlsson	PS02 0290US2	4742
58561 7590 02/02/2011 HARRITY & HARRITY, LLP 11350 RANDOM HILLS ROAD SUITE 600 FAIRFAX, VA 22030			EXAMINER SHAFI, MUHAMMAD	
			ART UNIT 3663	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,687	Applicant(s) KARLSSON, THOMAS	
	Examiner MUHAMMAD SHAFI	Art Unit 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 1,4,5,13-16 and 20-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 8-12 and 25-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/4/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The communication is a Final Office Action, in response to the communication received on 10 November 2010. Amendment to Claims 8, 9 and 11 has been acknowledged. Claims 25-30 are newly added claim. Claims 2, 3, 6-7 and 17-19 have been cancelled. Claims 1, 4, 5, 13-16 and 20-24 have been withdrawn. Therefore, Claims 8-12 and 25-30 are pending and have been considered below.

Response to Arguments

2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection which has been necessitated by amendment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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5. Claims 8-12 and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (USP 2003/0164822A1) in view of Wall et al. (USP 2003/0140056 A1).

As per Claims 8 and 29, Okada teaches, a portable electronic device (via portable telephone device 70, Fig. 20 [0127]) to at least partly organize data in relation to fix points of geographic locations, the portable electronic device comprising: a positioning unit to determine a geographic location of a user (via 90 [0128-0129], Figs. 19-20); a first data receiving unit (via portable telephone 70) is capable of capturing (shooting picture) based on input from the user electronic media (telephone 70); where the captured electronic media (telephone 70) comprises at least one of one or more picture files, or one or more video files; (via camera component : 141,142,143 and 144, [0135], Fig. 19) a second data receiving unit (via portable telephone 70 through communication control unit 134, 130, [0130-1031], Figs. 19, 20), is capable of receiving a link to the captured electronic media; and a control unit (portable telephone 70 via CPU 72 , Fig. 19) is capable of receiving selection, from the user, of one or more fix points, from the fix points of the geographic locations, on a map provided to the user, the map including the geographic locations,(via longitude , latitude etc., POI information, [0131]) where the selected one or more fix points are selected by the user and based on the map provided to the user, prior to receiving the link, receive the determined .geographic location of the user from the positioning unit (via GPS unit 91, [0131], [0136], [0137] see last three lines [0136]); receive the link from the particular fix point to the captured electronic media based on associating the captured electronic

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media with the particular fix point, the link allowing the captured electronic media to be retrieved upon selection of the particular fix point on the map provided to the user, and provide the captured electronic media to the user in response to receiving the selection of the particular fix point on the map and based on the received link ([0135-0137], Figs. 19-20).

Examiner interprets "fix points" of geographic location being the longitude and latitude of the points, because longitude and latitude of any point in geographical location is not changing i.e., is fixed/ unchanged.

However, Okada does not explicitly teach, determining whether a particular fix point, of the selected one or more fix points, is a closest fix point, of the selected one or more fix points, to the determined geographic location of the user, associate the determined geographic location of the user with the particular fix point, when the particular fix point is the closest fix point to the determined geographic location of the user, associate the captured electronic media with the particular fix point when the particular fix point is the closest fix point to the determined geographic location of the user.

In the same field of endeavor, Wall et al. (Wall) teaches information retrieval system , wherein, determining whether a particular fix point, of the selected one or more fix points, is a closest fix point, of the selected one or more fix points, to the determined geographic location of the user, associating the determined geographic location of the user with the particular fix point, when the particular fix point is the closest fix point to the determined geographic location of the user, associating the

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captured electronic media with the particular fix point when the particular fix point is the closest fix point to the determined geographic location of the user (via processor 42 of remote computer 14 of retrieval system 10, gathering information relating to one or more geographic sites within a given distance of the retrieval device 12 i.e., closest fixed point, [0025-0030], also see [0033-0063] Fig. 1).

Both Okada and Wall are directed toward electronically processing guide information. Okada teaches, processing various guide information such as character-based explanatory information about facilities and spots of interest sight-seeing spots, routes and transportation, maps and photographs. However, Okada does not explicitly teach associating the captured electronic media with a particular fix point when the particular fix point being the closest fix point to the determined geographic location of the user. However, Wall teaches associating the captured electronic media with a particular fix point when the particular fix point being the closest fix point to the determined geographic location of the user.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the information retrieval teachings (remote computer processor) of Wall into the system of Okada and configure it with the system of Okada to have included longitude, latitude in all pertinent records along with subject descriptors and proximity information. Wall provides the motivation to combine the teachings to achieve ability to sort and display entries in appropriate directional sequence (i.e., easy accessing).

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As per Claim 9, the combination as set forth above discloses the limitation of Claim 8. Okada further teaches, the portable electronic device , in which the control unit (CPU 72 of portable telephone 70) is being capable of associating second data captured, by the first data receiving unit, at a second, different geographic location of the user, with a second, different fix point of the selected one or more fix points, where, when associating the second data with the second fix point, the control unit is to: (via [0132-0135]).

However, Okada does not explicitly teach determining whether the second fix point corresponds to a fix point that is closest to the second geographic location of the user, and associating the second data with the second fix point when the second fix point corresponds to the fix point that is closest to the second geographic location of the user.

However, Wall teaches, determining whether the second fix point corresponds to a fix point that is closest to the second geographic location of the user, and associating the second data with the second fix point when the second fix point corresponds to the fix point that is closest to the second geographic location of the user.(via processor 42 of remote computer 14 of retrieval system 10, gathering information relating to one or more geographic sites within a given distance of the retrieval device 12 i.e., closest fixed point, [0025-0030], also see [0033-0063] Fig. 1).

See rationale supporting obviousness and motivation to combine, of claim 8 above.

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As per Claim 10, the combination as set forth above discloses the limitation of Claim 8. Okada further teaches, the portable electronic device further comprising: an information presentation unit, to present information by the control unit, under the control of the user (via display 75a-75f, Fig. 20).

As per Claim 11, the combination as set forth above discloses the limitation of Claim 8. Okada further teaches, the portable electronic device , further comprising: a memory unit to store data received from the first data receiving unit under the control of the control unit(via Image pickup memory 144, Program ROM 76, Memory 73, Fig. 19) where, when providing the capture electronic media, the control unit is to: retrieve the captured electronic media from the memory unit in response to receiving the selection of the particular fix point and based on the received link, and provide the retrieved electronic media to the user ([0037], Fig. 11, 18A-18B, 13, [0068] [0070] [0108], [0112-0113]).

As per Claim 12, the combination as set forth above discloses the limitation of Claim 8. Okada further teaches, the portable electronic device being a mobile phone (via portable telephone device 70 ([0127], Fig. 20).

As per Claims 25 and 27, the combination as set forth above discloses the limitation of Claim 8. Okada further teaches, the portable electronic device (70) according to claim 8, where, when receiving the selection of the one or more fix points (longitude, latitude, [0031]), the control unit (CPU 72, Fig. 19) is to: provide the map to the user, the map being provided without the selected one or more fix points, (Figs. 12-A-B) receive, from the user, selection of one or more geographic locations, of the

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geographic locations included in the map, corresponding to the one or more fix points,[0131]) and provide, to the user, the selected one or more fix points on the map provided to the user.[0131-0135]).

As per Claim 26, the combination as set forth above discloses the limitation of Claim 8. Okada further teaches, the portable electronic device (70) according to claim 25, where the control unit (CPU 72, Fig. 19) is further to receive, from the user, a request to remove at least one of the selected one or more fix points from the map provided to the user,[0131]) remove, based on the received request, the at least one of the selected one or more fix points from the map provided to the user, and ([0131-0136]).

However, Okada does not explicitly teach, associating second, different electronic media with a fix point of a remaining selected one or more fix points included in the map.

Wall teaches, associating second, different electronic media with a fix point of a remaining selected one or more fix points included in the map. (via processor 42 of remote computer 14 of retrieval system 10, gathering information relating to one or more geographic sites within a given distance of the retrieval device 12 i.e., closest fixed point, [0025-0030], also see [0033-0063] Fig. 1).

See rationale supporting obviousness and motivation to combine, of claim 8 above.

As per Claims 28 and 30, the combination as set forth above discloses the limitation of Claim 8. Okada further teaches, the portable electronic device (70), where

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the first data receiving unit is further to capture second, different electronic media at a second, different geographic location,[0130-0136]).

However, Okada does not explicitly teach, the second electronic media including one or more video files, the second electronic media being captured after receiving selection of the second one or more fix points, and where the control unit is to: determine whether a second fix point, of the second one or more fix points, corresponds to a fix point that is closest to the second geographic location, and associate the second fix point with the second electronic media when the second fix point corresponds to the fix point that is closest to the second geographic location.

However, Wall teaches, the second electronic media including one or more video files, the second electronic media being captured after receiving selection of the second one or more fix points, and where the control unit is to: determine whether a second fix point, of the second one or more fix points, corresponds to a fix point that is closest to the second geographic location, and associate the second fix point with the second electronic media when the second fix point corresponds to the fix point that is closest to the second geographic location. [0004], lines 15-24; [0033] ref. Claim 15.

Also via processor 42 of remote computer 14 of retrieval system 10, gathering information relating to one or more geographic sites within a given distance of the retrieval device 12 i.e., closest fixed point, [0025-0030], also see [0033-0063] Fig. 1).

See rationale supporting obviousness and motivation to combine, of claim 8 above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUHAMMAD SHAFI whose telephone number is (571)270-5741. The examiner can normally be reached on M-F 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on (571)-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ms/
Examiner
Art Unit 3663

/JACK KEITH/
Supervisory Patent Examiner, Art Unit 3663